

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 7002 OF 2005

M/s. Rajesh Construction Co. ...Applicant

Vs.

Rajaram Mahadeo Pungaonkar & Anr. ..Respondents

Mr. S.V.Kotwal for the applicant.

Mr. A.S.Shitole, APP, for the State.

CORAM: S.K.SHAH, J.

DATE : 25th April, 2006.

P.C.

1. This Application is filed under Section 482 of the Cr.P.C. against the order passed by the 2nd Adhoc Additional Sessions Judge, Kolhapur, rejecting the Revision Application observing that Revision is not maintainable. However, in the case of **V.K.Jain and others vs. Pratap V. Padode and another** reported in 2005(3) Mh.L.J. 778, this Court held that Revision can lie against the order of issue of process passed by the Magistrate. As such, the learned Additional Sessions Judge shall decide the Revision Application, being Revision Application No.412 of 2004 on merits.

The Application stands dismissed.

(S.K.SHAH, J.)